

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**CHARLES SEWARD, Individually,** )  
**and on Behalf of All Others** )  
**Similarly Situated,** )  
  
**Plaintiff,** )  
  
**v.** ) **Case No. 08 cv 3976**  
  
**INTERNATIONAL BUSINESS** ) **KMK/MDF**  
**MACHINES, CORP. d/b/a IBM** )  
**CORP.,** ) **ECF CASE**  
  
**Defendant.** )

TO: Wendy Butler  
Jones Day  
222 East 41<sup>st</sup> Street  
New York, NY 10017

PLEASE TAKE NOTICE that upon the annexed affidavit of movants in support of this Motion and the Certificates of Good Standing annexed thereto, we will move this Court before the Honorable Kenneth M. Karas at the United States Courthouse for the Southern District of New York, pursuant to Rule 1.3(c) of the Local Rules of the United States District Court for the District of New York, for an Order allowing the admission of the movants, members of the firm Stephan Zouras LLP and Cuneo, Gilbert and LaDuca and members in good standing of the Bar of the State of Illinois and California, respectively, as attorneys *pro hac vice* to argue or try this case in whole or in part as counsel. There are no pending disciplinary proceedings against movants in any State or Federal court.

Dated: June 10, 2008

Respectfully submitted,

By: /s/ Erik H. Langeland  
Erik H. Langeland (EL-7512)  
Erik H. Langeland, P.C.  
500 Fifth Avenue, Suite 1610  
New York, NY 10110  
(212) 354-6270 phone  
(212) 898-9086 fax  
elangeland@langelandlaw.com

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

<b>CHARLES SEWARD, Individually,</b>	)	
<b>and on Behalf of All Others</b>	)	
<b>Similarly Situated,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	<b>Case No. 08 cv 3976</b>
<b>v.</b>	)	<b>KMK/MDF</b>
	)	
<b>INTERNATIONAL BUSINESS</b>	)	<b>ECF CASE</b>
<b>MACHINES, CORP. d/b/a IBM</b>	)	
<b>CORP.,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2008, upon consideration of Ryan F. Stephan, James B. Zouras and Jon A. Tostrud, Esquires' request for *pro hac vice* admission on behalf of the Plaintiffs in the above-captioned case, IT IS HEREBY ORDERED that Ryan F. Stephan, James B. Zouras and Jon A. Tostrud, Esquires are admitted to practice as *pro hac vice* counsel for Plaintiffs in this matter in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. Counsel must immediately apply for an ECF password and forward the *pro hac vice* fee to the Clerk of Court.

BY THE COURT:

\_\_\_\_\_  
Magistrate Judge Mark D. Fox

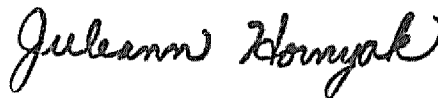
## **Certificate of Admission To the Bar of Illinois**

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

Ryan Francis Stephan

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on November 9, 2000 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto  
placed my hand and affixed the seal  
of said Supreme Court, at Springfield,  
in said State, this Friday, June 06, 2008.

A handwritten signature in cursive script, reading "Juleann Hornyak".

Clerk

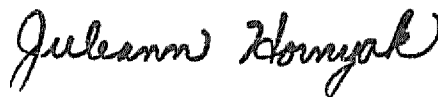
## **Certificate of Admission To the Bar of Illinois**

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

James B. Zouras

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on November 9, 1995 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto  
placed my hand and affixed the seal  
of said Supreme Court, at Springfield,  
in said State, this Friday, June 06, 2008.

A handwritten signature in cursive script, reading "Juleann Hornyak".

Clerk

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# United States District Court

Central District of California

## CERTIFICATE OF GOOD STANDING

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I, SHERRI R. CARTER, Clerk of this Court, certify that

Jon A. Tostrud, Bar No. 199502



was duly admitted to practice in this Court on December 8, 1998

and is in good standing as a member of the Bar of this Court.

Dated at Los Angeles, California.

on May 16, 2008  
DATE

SHERRI R. CARTER, CLERK

By    
Lupe Thrasher, Deputy Clerk







IN THE UNITED STATES DISTRICT COURT  
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CHARLES SEWARD, Individually,	)	
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	)	
Plaintiff,	)	
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v.	)	KMK/MDF
	)	
INTERNATIONAL BUSINESS	)	
MACHINES, CORP. d/b/a IBM	)	ECF CASE
CORP.,	)	
	)	
Defendant.	)	

AFFIDAVIT OF JON A. TOSTRUD

I, Jon A. Tostrud, being duly sworn state as follows:

1. I am an attorney with a practice located at 1801 Century Park E, Suite 2400, Los Angeles, California 90067.
2. I am a member of the Bar of the State of California and practice in the state and federal courts of California.
3. I am a member in good standing in every jurisdiction where I have been admitted to practice and there are no disciplinary proceedings pending against me as a member of the bar in any jurisdiction.
4. I am familiar with the Local Rules of the United States District Court for the Eastern District of New York.

Sworn to under the pain and penalties of perjury this 30<sup>th</sup> day of May 2008.

  
Jon Tostrud

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and accurate copy of the foregoing  
*Plaintiffs' Notice of Motion to Admit Counsel Pro Hac Vice* to be served by U.S. first-class mail, postage prepaid on June 10, 2008 to all counsel who have appeared in this action at the following addresses:

Wendy Butler  
Jones Day  
222 East 41<sup>st</sup> Street  
New York, NY 10017

Dated: June 10, 2008

/s/ Erik H. Langeland  
Erik H. Langeland  
Erik H. Langeland, P.C.  
500 Fifth Avenue, Suite 1610  
New York, NY 10110  
*Attorneys for Plaintiff*